

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** BR/129/12/CLP**LOCATION:** Carstan
Westloats Lane
Bognor Regis**PROPOSAL:** Application for certificate of lawfulness for a proposed use as a rear single storey extension**DESCRIPTION OF APPLICATION**

The application seeks a Certificate of Proposed Lawfulness for a single storey rear extension.

DESCRIPTION OF SITE AND SURROUNDINGS

The property is a two storey semi-detached, modern dwelling constructed from brick with a pitch, tiled roof. The surrounding area is predominantly residential and comprises two storey semi-detached modern dwellings. Bognor Regis Youth and Community Centre is located to the southwest.

RELEVANT SITE HISTORY

BR/27/04/	2 Storey extension	Refused 05-03-2004
BR/236/54	Outline application for house and shop	ApproveConditionally 21-12-1954
BR/236/54/A	Pair semi detached house	Approve 20-12-1955
BR/236/54/B	Revised drainage for pair cottages	Permit'd Devel

REPRESENTATIONS**Representations received:**

N/A

Comments on Representations received:

N/A

CONSULTATIONS**Consultations responses received:**

N/A

Comments on Consultation responses:

N/A

LEGISLATIVE BACKGROUND

Principle

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

CONCLUSIONS

The application seeks a Certificate of Proposed Lawfulness for a single storey brick built rear extension.

The proposed extension would measure 5 metres in width, 3 metres in depth and 3.25 metres in height with an eaves height of 2.3 metres.

The proposed extension is considered to fall under Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 in that it relates to 'The enlargement, improvement or other alteration of a dwellinghouse'.

Class A.1 (e) states that development is not permitted by Class A if the enlarged part of the dwellinghouse would have a single storey and -

- i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- ii) exceed 4 metres in height.

The extension is single storey and would project from the rear wall of the original semi-detached dwellinghouse by 3 metres. The height of the extension is 3.2 metres and therefore does not exceed 4 metres.

Class A.1 (g) states that development is not permitted by Class A if -
the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

The extension will be sited within 400mm of the side boundary adjoining 'Sudbury' to the southwest. The eaves height of the extension will be 2.3 metres and will therefore not exceed 3 metres.

SUMMARY

The proposed single storey rear extension would accord with Class A.1 (e) and (g) of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is thereby deemed to be Permitted Development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 30 May 2012 the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged black on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons :-

The development as proposed falls under Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) Order 2008 in that it relates to the enlargement, improvement or other alteration of a dwellinghouse.

Section (e) the enlarged part of the dwellinghouse would have a single storey and would not extend beyond the rear wall of the original semi-detached dwellinghouse by more than 3 metres; and would not exceed 4 metres in height.

Section (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres.

The proposed extension is deemed to be 'Permitted Development' and, as such, does not require planning permission.

FIRST SCHEDULE

The development proposed is for a single storey rear extension to be sited on the rear (northwest) elevation of the semi-detached dwellinghouse, as detailed in the plans submitted with the application.

SECOND SCHEDULE

Carstan, Westloats Lane, Bognor Regis, PO21 5JZ.

EXTENT OF USE

The rear single storey extension measures 5 metres in width, 3 metres in depth, 3.25 metres in height with an eaves height of 2.3 metres.